

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSE VICTOR ROBLES PALACIOS,)	
)	Civil Action No. 13 – 487
Plaintiff,)	
)	District Judge Terrence F. McVerry
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
RUSSELL GILL,)	
)	
Defendant.)	

MEMORANDUM ORDER

This case is before the Court on the pending Report and Recommendation filed by Chief Magistrate Judge Lenihan on May 8, 2013. (ECF No. 12.) Judge Lenihan recommended that Plaintiff's Amended Complaint be dismissed with prejudice for failure to state a claim pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). Plaintiff was served with the Report and Recommendation and informed that he had until May 28, 2013, to file written objections. As of the date of this order, however, no objections have been filed. Therefore, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered.

AND NOW, this 20th day of June, 2013,

IT IS HEREBY ORDERED that Plaintiff's Amended Complaint is **DISMISSED** with prejudice for failure to state a claim pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).

IT IS FURTHER ORDERED that the Report and Recommendation dated May 8, 2013 (ECF No. 12) is **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURHTER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

s/ Terrence F. McVerry

Terrence F. McVerry
United States District Judge

cc: Jose Victor Robles Palacios
01261261
Price Daniel Unit
938 South F.M. 1673
Snyder, TX 79549-8859
(Via First Class U.S. Postal Mail)